



DEP 3 REF  
Room 307

8TH FLOOR  
1100 NORTH GLEBE ROAD  
ARLINGTON, VIRGINIA 22201-4714

**Nixon & Vanderhye P.C.**

ATTORNEYS AT LAW

December 28, 2004

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Subject: **REQUEST FOR CORRECTION OF DEPOSIT ACCOUNT**

Deposit Account No. 14-1140  
Statement Date: November 2004  
Date Posted: 11/30/04  
Serial No.: 09/831,555  
Fee Code: 1402; \$340.00  
Our Ref.: 540-311

To whom it may concern:

Regarding the Monthly Statement of Deposit Account dated November 2004, (copy attached), we believe there is a fee related error therein, which has resulted in charges to our Deposit Account that appears to be unwarranted. Please refer to the following explanation and advise us of your own review as soon as possible.

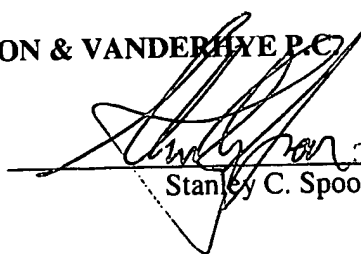
**\$340.00:** This charge is in error, as Applicant previously paid an Appeal Brief fee of \$330.00 on October 20, 2003, **with no decision on the merits being issued by the Board of Patent Appeals and Interferences.** Applicant's second Appeal Brief was filed July 29, 2004. A *resubmission* of the July 29, 2004 Appeal Brief was filed on November 12, 2004, in response to the Office Communication of October 19, 2004.

Accordingly, please credit Deposit Account No. 14-1140 in the amount of \$340.00 to offset this incorrect charge.

Very truly yours,

**NIXON & VANDERHYE P.C.**

By:

  
Stanley C. Spooner

SCS:kmm

**BEST AVAILABLE COPY**

911835

11/22 3 10457013 950-466 HWB 1806 \$180.00 \$25,136.98  
 11/22 5 09768277 2739-4 HWB 1251 \$110.00 \$25,026.98  
 11/22 15 10929726 330-283 ARC 1203 \$300.00 \$24,726.98  
 11/23 2 10089563 159-72 BJS 1806 \$180.00 \$24,546.98  
 11/23 2 10363909 1626-1 ARC 1460 \$130.00 \$24,416.98  
 11/23 3 10250821 9284 ~~\$450.00~~ \$24,866.98  
 11/23 4 10250821 3557-28 BJS 1613 ~~\$450.00~~ \$24,416.98  
 11/23 6 10923077 1035-520 HWB 8021 \$40.00 \$24,376.98  
 11/23 464 10392394 4062-59 LSN 8001 \$3.00 \$24,373.98  
 11/24 1 10221779 1035-389 FPP 1201 \$252.00 \$24,121.98  
 11/24 2 10642237 914-171 MEN 1201 ~~\$88.00~~ \$24,033.98 *fee code 33*  
 11/24 3 10294762 141-365 P-292748 PTB 1806 \$180.00 \$23,853.98  
 11/26 2 6410019 2818-14 ARC 1460 \$130.00 \$23,723.98  
 11/26 2 10769755 553-80 LCM 1201 \$88.00 \$23,635.98  
 11/26 147 10035199 4398-28445 PTB 1201 -\$86.00 \$23,721.98  
 11/26 148 10035199 P-284445 1202 -\$234.00 \$23,955.98  
 11/29 129 10847357 839-1448 MOK 1053 \$130.00 \$23,825.98  
 11/30 4 09831555 540-311 SCS 1402 \$340.00 \$23,485.98  
 11/30 15 10288300 1767-109 1201 ~~\$176.00~~ \$23,309.98 *fee code 33*  
 11/30 16 10288300 1767-109 POB 1202 ~~\$216.00~~ \$23,093.98 *fee code 33*  
 11/30 17 10288300 1767-109 1202 ~~\$430.00~~ \$22,663.98 *fee code 34*  
 11/30 633 09993038 8021 \$40.00 \$22,623.98  
 11/30 634 09993241 8021 \$40.00 \$22,583.98  
 11/30 635 10206443 8021 \$40.00 \$22,543.98  
 11/30 636 10722371 8021 \$40.00 \$22,503.98  
 11/30 642 10256566 8021 \$40.00 \$22,463.98

*Charge to 4379-3*

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$17,059.98	\$17,432.00	\$22,836.00	\$22,463.98

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1402  
Approved

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. 540-311

KUMAR

C# M#

Serial No. 09/831,555

Group Art Unit: 2821

Filed: August 14, 2001

Examiner: M. Wimer

Date: November 12, 2004

Title: SCANNING OF ELECTROMAGNETIC BEAMS

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

☐ Correspondence Address Indication Form Attached.

☐ **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals from the decision dated \_\_\_\_\_ of the Examiner twice/finally rejecting claims \_\_\_\_\_ (\$ 340.00 )

\$

☒ An appeal BRIEF is attached in triplicate in the pending appeal of the above-identified application *Resubmitted in response to Office Communication of 10/19/04*

\$

-0-

☐ Credit for fees paid in prior appeal without decision on merits

-\$ ( )

☐ A reply brief is attached in triplicate under Rule 193(b)

(no fee)

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months; \$1530.00/4 months)

SUBTOTAL \$

☐ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract

-\$ ( )

☐ "Small entity" statement attached.

SUBTOTAL \$

Less month extension previously paid on

-\$ ( 0.00)

**TOTAL FEE ENCLOSED \$ -0-**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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Arlington, Virginia 22201-4714  
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Facsimile: (703) 816-4100  
SCS:kmm

NIXON & VANDERHYTE P.C.  
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: \_\_\_\_\_

Adjustment date: 01/31/2005 SDIRETA1  
11/30/2004 CEROWN3 00000003 141140 09831535  
01 FC:1402 340.00 CR